

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

THE GENERAL HOSPITAL
CORPORATION and DANA-FARBER
CANCER INSTITUTE, INC.,

Plaintiffs,

v.

ESOTERIX GENETIC LABORATORIES,
LLC and LABORATORY CORPORATION
OF AMERICA HOLDINGS,

Defendants.

C.A. NO: 1:18-cv-11360-IT

**DEFENDANTS' DESIGNATED REDACTIONS OF THE OFFICIAL TRANSCRIPT OF
THE JANUARY 30, 2019 HEARING ON DEFENDANTS' MOTION TO DISMISS AND
PLAINTIFFS' CROSS-MOTION FOR PARTIAL SUMMARY JUDGMENT**

Pursuant to the Court's February 11, 2019 Order granting Defendants Esoterix Genetic Laboratories, LLC and Laboratory Corporation of America Holdings' (collectively, "Defendants") Unopposed Motion to Impound Portions of the Official Transcript of the January 30, 2019 Hearing on Defendants' Motion to Dismiss and Plaintiffs' Cross-Motion for Partial Summary Judgment (ECF No. 127), Defendants hereby designate certain pages and lines for redaction from the official transcript of the January 30, 2019 hearing. The parties have conferred and agreed on these redactions, which are highlighted in yellow in the attached copy of the transcript filed under seal.

Page 6, Lines 22, 23, 24 (certain words only)
Page 7, Lines 2, 4 (certain words only)
Page 8, Lines 16, 17, 18, 20, 21, 25 (certain words only)
Page 9, Lines 2, 3, 4, 6 (certain words only)
Page 12, Line 25 (certain words only)
Page 13, Lines 1, 2 (certain words only)
Page 23, Line 14 (certain words only)
Page 25, Lines 5, 11 (certain words only)
Page 26, Line 23 (certain words only)
Page 36, Line 15 (certain words only)

WHEREFORE, Defendants respectfully request that this Court redact these designated lines on the publicly-available copy of the official transcript from the January 30, 2019 hearing, and maintain the designated material under seal in accordance with the Court's February 11, 2019 Order.

Dated: February 13, 2019
Boston, MA

Respectfully submitted,

ESOTERIX GENETIC LABORATORIES, LLC and
LABORATORY CORPORATION OF AMERICA
HOLDINGS

By their Attorneys,

CAMPBELL CONROY & O'NEIL, P.C.

/s/ Christopher R. Howe

James M. Campbell (BBO # 541882)
jmcampbell@campbell-trial-lawyers.com
Christopher R. Howe (BBO #652445)
chowe@campbell-trial-lawyers.com
1 Constitution Wharf, Suite 310
Boston, MA 02129
Tel: (617) 241-3041
Fax: (617) 241-5115

Robert I. Steiner (admitted *pro hac vice*)
rsteiner@kelleydrye.com
Jaclyn M. Metzinger (admitted *pro hac vice*)
jmetzinger@kelleydrye.com
101 Park Avenue
New York, NY 10178
Tel: (212) 808-7800
Fax: (212) 808-7897

LOCAL RULES 7.1(a)(2) CERTIFICATION

I, Jaclyn M. Metzinger, counsel for defendants Esoterix Genetic Laboratories, LLC and Laboratory Corporation of America Holdings (collectively, “Defendants”), hereby certify that, on February 8, 2019, pursuant to Rule 7.1(a)(2) of the Local Rules of the United States District Court for the District of Massachusetts, I conferred with Carolyn A. Marcotte, counsel for plaintiffs The General Hospital Corporation and Dana-Farber Cancer Institute Inc. (collectively, “Plaintiffs”), regarding Defendants’ proposed redactions, and Attorney Marcotte informed me that Plaintiffs assent to Defendants’ proposed redactions.

/s/ Jaclyn M. Metzinger

Jaclyn M. Metzinger

CERTIFICATE OF SERVICE

I, Christopher R. Howe, counsel for defendants Esoterix Genetic Laboratories, LLC and Laboratory Corporation of America Holdings, hereby certify that on February 13, 2019, I electronically filed the foregoing Designated Redactions of the Official Transcript of the January 30, 2019 Hearing on Defendants’ Motion to Dismiss and Plaintiffs’ Cross-Motion for Partial Summary Judgment with the Clerk of the Court using the ECF system, which will send notification of such filing to all counsel of record. I also served a true copy of the above foregoing Notice by first class mail, postage pre-paid, on all parties of record.

/s/ Christopher R. Howe

Christopher R. Howe